

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

Deirdre M. Pawell,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 03 C 3158
	)	
Metropolitan Pier and Exposition Authority,	)	Judge Holderman
	)	
Defendant.	)	
	)	

JURY'S VERDICT REGARDING MRS. PAWELL'S DISCRIMINATION CLAIM

Please answer the following: (Your answer to each question must be unanimous).

1. Did Mrs. Pawell prove by a preponderance of the evidence that MPEA placed her on light duty contrary to her desire during her 2001 pregnancy?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question number 1 is "yes," then answer question number 2.

If your answer to question number 1 is "no," then your verdict is in favor of MPEA and against Mrs. Pawell on Mrs. Pawell's discrimination claim. Do not answer question number 2.

2. Did Mrs. Pawell prove by a preponderance of the evidence that her sex or pregnancy, and not merely the restrictions in the doctor's note MPEA required, was a substantial or motivating factor that prompted MPEA to place Mrs. Pawell on light duty contrary to her desire during her 2001 pregnancy?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question number 2 is "yes," then your verdict is in favor of Mrs. Pawell and against MPEA on Mrs. Pawell's discrimination claim.

If your answer to question number 2 is "no," then your verdict is in favor of MPEA and against Mrs. Pawell on Mrs. Pawell's discrimination claim.

When you have unanimously answered the questions which state your verdict, please each sign below, and your foreperson should put the date of your verdict on the form.

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Foreperson

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Metropolitan Pier and Exposition Authority,	)	Judge Holderman
	)	
Defendant.	)	
	)	

JURY'S VERDICT REGARDING MRS. PAWELL'S HOSTILE  
ENVIRONMENT HARASSMENT BY SUPERVISOR(S) CLAIM

Please answer the following: (Your answer to each question must be unanimous).

1. Did Mrs. Pawell prove by a preponderance of the evidence that she was subjected to a hostile work environment, as defined in instruction number 20, by her supervisor(s), as defined in instruction number 21?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question number 1 is "yes," then answer question number 2.

If your answer to question number 1 is "no," then your verdict is in favor of MPEA and against Mrs. Pawell on Mrs. Pawell's hostile environment harassment by her supervisor claim. Do not answer question numbers 2, 3, 4, 5, 6, and 7.

2. Did Mrs. Pawell prove by a preponderance of the evidence that such conduct was unwelcome?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question number 2 is "yes," then answer question number 3.

If your answer to question number 2 is "no," then your verdict is in favor of MPEA and against Mrs. Pawell on Mrs. Pawell's hostile environment harassment by her supervisor claim. Do not answer question numbers 3, 4, 5, 6 and 7.

3. Did Mrs. Pawell prove by a preponderance of the evidence that such conduct was based on her sex?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question number 3 is “yes,” then answer question number 4.

If your answer to question number 3 is “no,” then your verdict is in favor of MPEA and against Mrs. Pawell on Mrs. Pawell’s hostile environment harassment by her supervisor claim. Do not answer question numbers 4, 5, 6, and 7.

4. Did Mrs. Pawell prove by a preponderance of the evidence that such conduct was sufficiently severe or pervasive that a reasonable person in her position would find Mrs. Pawell’s work environment to be hostile?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question number 4 is “yes,” then answer question number 5.

If your answer to question number 4 is “no,” then your verdict is in favor of MPEA and against Mrs. Pawell on Mrs. Pawell’s hostile environment harassment by her supervisor claim. Do not answer question numbers 5, 6, and 7.

5. Did Mrs. Pawell prove by a preponderance of the evidence that at the time such conduct occurred and as a result of such conduct, she believed her work environment to be hostile?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question number 5 is “yes,” then answer question number 6.

If your answer to question number 5 is “no,” then your verdict is in favor of MPEA and against Mrs. Pawell on Mrs. Pawell’s hostile environment harassment by her supervisor claim. Do not answer question numbers 6 and 7.

6. Did MPEA prove by a preponderance of the evidence that it had installed a readily accessible and effective policy for reporting and resolving complaints of sexual harassment?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question number 6 is “yes,” then answer question number 7.

If your answer to question number 6 is “no,” then your verdict is in favor of Mrs. Pawell and against MPEA on Mrs. Pawell’s hostile environment harassment by her supervisor claim. Do not answer question number 7.

7. Did MPEA prove by a preponderance of the evidence that Mrs. Pawell unreasonably failed to take advantage of that employer-provided preventive or remedial apparatus?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question number 7 is “yes,” then your verdict is in favor of MPEA and against Mrs. Pawell on Mrs. Pawell’s hostile environment harassment by her supervisor claim.

If your answer to question number 7 is “no,” then your verdict is in favor of Mrs. Pawell and against MPEA on Mrs. Pawell’s hostile environment harassment by her supervisor claim.

When you have unanimously answered the questions which state your verdict, please each sign below, and your foreperson should put the date of your verdict on the form.

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Foreperson	
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_____	_____
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Metropolitan Pier and Exposition Authority,	)	Judge Holderman
	)	
Defendant.	)	
	)	

JURY'S VERDICT REGARDING MRS. PAWELL'S HOSTILE  
ENVIRONMENT HARASSMENT BY CO-WORKERS CLAIM

Please answer the following: (Your answer to each question must be unanimous).

1. Did Mrs. Pawell prove by a preponderance of the evidence that she was subjected to a hostile work environment, as defined in instruction number 20, by one or more of her co-workers?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question number 1 is "yes," then answer question number 2.

If your answer to question number 1 is "no," then your verdict is in favor of MPEA and against Mrs. Pawell on Mrs. Pawell's hostile environment harassment by her co-workers claim. Do not answer question numbers 2, 3, 4, 5, 6, and 7.

2. Did Mrs. Pawell prove by a preponderance of the evidence that such conduct was unwelcome?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question number 2 is "yes," then answer question number 3.

If your answer to question number 2 is "no," then your verdict is in favor of MPEA and against Mrs. Pawell on Mrs. Pawell's hostile environment harassment by her co-workers claim. Do not answer question numbers 3, 4, 5, 6, and 7.

3. Did Mrs. Pawell prove by a preponderance of the evidence that such conduct was based on her sex?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question number 3 is “yes,” then answer question number 4.

If your answer to question number 3 is “no,” then your verdict is in favor of MPEA and against Mrs. Pawell on Mrs. Pawell’s hostile environment harassment by her co-workers claim. Do not answer question numbers 4, 5, 6, and 7.

4. Did Mrs. Pawell prove by a preponderance of the evidence that such conduct was sufficiently severe or pervasive that a reasonable person in her position would find Mrs. Pawell’s work environment to be hostile?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question number 4 is “yes,” then answer question number 5.

If your answer to question number 4 is “no,” then your verdict is in favor of MPEA and against Mrs. Pawell on Mrs. Pawell’s hostile environment harassment by her co-workers claim. Do not answer question numbers 5, 6, and 7.

5. Did Mrs. Pawell prove by a preponderance of the evidence that at the time such conduct occurred and as a result of such conduct, she believed her work environment to be hostile?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question number 5 is “yes,” then answer question number 6.

If your answer to question number 5 is “no,” then your verdict is in favor of MPEA and against Mrs. Pawell on Mrs. Pawell’s hostile environment harassment by her co-workers claim. Do not answer question numbers 6 and 7.

6. Did Mrs. Pawell prove by a preponderance of the evidence that MPEA knew or should have known of the conduct Mrs. Pawell alleges to be harassment based on her sex?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question number 6 is “yes,” then answer question number 7.

If your answer to question number 6 is “no,” then your verdict is in favor of MPEA and against Mrs. Pawell on Mrs. Pawell’s hostile environment harassment by her co-workers claim. Do not answer question number 7.

7. Did Mrs. Pawell prove by a preponderance of the evidence that MPEA failed to take prompt and appropriate corrective action to end the harassment?

Yes \_\_\_\_\_

No \_\_\_\_\_

If your answer to question number 7 is “yes,” then your verdict is in favor of Mrs. Pawell and against MPEA on Mrs. Pawell’s hostile environment harassment by her co-workers claim.

If your answer to question number 7 is “no,” then your verdict is in favor of MPEA and against Mrs. Pawell on Mrs. Pawell’s hostile environment harassment by her supervisor claim.

When you have unanimously answered the questions which state your verdict, please each sign below, and your foreperson should put the date of your verdict on the form.

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Foreperson  
  
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Metropolitan Pier and Exposition Authority,	)	Judge Holderman
	)	
Defendant.	)	
	)	

JURY'S VERDICT REGARDING MRS. PAWELL'S RETALIATION CLAIM

Please answer the following: (Your answer to each question must be unanimous).

1. Did Mrs. Pawell prove by a preponderance of the evidence that she complained to MPEA or the Equal Employment Opportunity Commission that she was being harassed or discriminated against on the basis of her sex or pregnancy?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question number 1 is "yes," then answer question number 2.

If your answer to question number 1 is "no," then your verdict is in favor of MPEA and against Mrs. Pawell on Mrs. Pawell's retaliation claim. Do not answer question numbers 2, 3, 4, and 5.

2. Did Mrs. Pawell prove by a preponderance of the evidence that she reasonably believed that she was being harassed or discriminated against on the basis of her sex or pregnancy?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question number 2 is "yes," then answer question number 3.

If your answer to question number 2 is "no," then your verdict is in favor of MPEA and against Mrs. Pawell on Mrs. Pawell's retaliation claim. Do not answer question numbers 3, 4, and 5.

3. Did Mrs. Pawell prove by a preponderance of the evidence that her transfer to McCormick Place in April 2003 was contrary to her desire?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question number 3 is “yes,” then answer question number 4.

If your answer to question number 3 is “no,” then your verdict is in favor of MPEA and against Mrs. Pawell on Mrs. Pawell’s retaliation claim. Do not answer question numbers 4 and 5.

4. Did Mrs. Pawell prove by a preponderance of the evidence that her complaint(s) to MPEA or the Equal Employment Opportunity Commission of harassment or discrimination on the basis of her sex or pregnancy were a motivating factor in MPEA’s decision to transfer her to McCormick Place in April 2003?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question number 4 is “yes,” then answer question number 5.

If your answer to question number 4 is “no,” then your verdict is in favor of MPEA and against Mrs. Pawell on Mrs. Pawell’s retaliation claim. Do not answer question number 5.

5. Did MPEA prove by a preponderance of the evidence that it would have transferred Mrs. Pawell to McCormick Place even if she had not complained to MPEA or the Equal Employment Opportunity Commission of harassment or discrimination on the basis of her sex or pregnancy?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to question number 5 is “yes,” then your verdict is in favor of MPEA and against Mrs. Pawell on Mrs. Pawell’s retaliation claim.

If your answer to question number 5 is “no,” then your verdict is in favor of Mrs. Pawell and against MPEA on Mrs. Pawell’s retaliation claim.

When you have unanimously answered the questions which state your verdict, please each sign below, and your foreperson should put the date of your verdict on the form.

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Foreperson

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Metropolitan Pier and Exposition Authority,	)	Judge Holderman
	)	
Defendant.	)	
	)	

JURY'S VERDICT REGARDING DAMAGES PROVEN BY MRS. PAWELL

If, and only if, your verdict is in favor of Mrs. Pawell on any one or more of her claims, then you should fill in below the amount of damages Mrs. Pawell has proven by a preponderance of the evidence that she is entitled to recover from MPEA, if any. Your answers must be unanimous.

1. Through the date of your verdict, what is the total amount of money that will compensate Mrs. Pawell for lost wages and benefits due to lost overtime?

\$ \_\_\_\_\_

2. Through the date of your verdict, what is the total amount of money that will compensate Mrs. Pawell for her medical and mental health expenses caused by MPEA's conduct?

\$ \_\_\_\_\_

3. What is the total amount of money that will compensate Mrs. Pawell for her emotional distress, pain, suffering, inconvenience, humiliation, and loss of enjoyment of life caused by MPEA's conduct?

\$ \_\_\_\_\_

When you have made your unanimous findings, please each sign below, and your foreperson should put the date of your verdict on the form.

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Foreperson

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DATE: